

Introduced by

Senators Davison, Schaible, Sorvaag

Representatives Bosch, Heinert, Monson

1 A BILL for an Act to amend and reenact sections 15-19-00.1, 15-19-01, 15-19-02, 15-19-06,
2 15-19-08, and 15-20.1-03, ~~and 15.1-02-04~~ of the North Dakota Century Code, relating to the
3 administration of the center for distance education.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 15-19-00.1 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **15-19-00.1. Definitions.**

8 In this chapter, unless the context otherwise requires:

9 1. ~~"Administration" includes the leadership of the center for distance education.~~

10 ~~2.~~ "Board" means the state board for career and technical education board of public
11 school education.

12 ~~3.2.~~ "Center" means the North Dakota center for distance education.

13 ~~4.3.~~ "Director ~~Superintendent~~" means the director and executive officer of the department of
14 career and technical education superintendent of public instruction of the center for
15 distance education.

16 **SECTION 2. AMENDMENT.** Section 15-19-01 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **15-19-01. North Dakota center for distance education courses - Establishment -**
19 **Enrollment of students - Courses of instruction.**

20 The state shall provide kindergarten through grade twelve courses, comprehensive
21 educational support, and high school diplomas through the center for distance education under
22 the following provisions:

- 1 1. A complete curriculum prescribed by state-mandated education accreditation entities
2 which meets the requirements for digital education the superintendent of public
3 instruction has determined to be appropriate.
- 4 2. A superintendent or an administrator of a school may deny the enrollment of a student
5 in that district at the center for distance education except as provided in subsection 5.
- 6 3. The center for distance education may provide services to persons who are not North
7 Dakota residents.
- 8 4. Center for distance education students shall pay fees as may be prescribed by the
9 ~~state board for career and technical education~~ superintendent of public instruction.
- 10 5. Students exempt from the compulsory school attendance laws pursuant to
11 subdivision e of subsection 1 of section 15.1-20-02 may enroll in distance education
12 courses offered through the center for distance education. These students may study
13 their center for distance education lessons in their learning environment under the
14 supervision of a parent.

15 **SECTION 3. AMENDMENT.** Section 15-19-02 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **15-19-02. Administration Center for distance education - Appointment and duties.**

18 The program of and all activities related to the center for distance education are the
19 responsibility of the director of the center for distance education and under the authority of the
20 ~~state board for career and technical education~~ superintendent. ~~The director of the department of~~
21 ~~career and technical education~~ superintendent shall hire administration and staff for the center
22 ~~for distance education~~ of public instruction and the board. The director is appointed by and
23 reports to the superintendent of public instruction. The center must have a separate budget and
24 a separate staff from the department of public instruction who must be classified under the state
25 personnel merit system. The ~~administration of the center~~ director shall carry out the
26 responsibilities in operating the center for distance education in the manner approved by the
27 ~~state board for career and technical education~~, under the supervision of the director of the
28 ~~department of career and technical education~~ superintendent of public instruction, and compliant
29 with requirements established by the superintendent of public instruction and the education
30 standards and practices board for public school administrators and teachers. ~~The state board~~

1 | for career and technical education ~~superintendent shall administer the responsibilities of the~~
2 | ~~board of a school district relating to the center for distance education.~~

3 | **SECTION 4. AMENDMENT.** Section 15-19-06 of the North Dakota Century Code is
4 | amended and reenacted as follows:

5 | **15-19-06. Special funds - Deposit of collections - Transfers from general fund**
6 | **appropriations.**

- 7 | 1. A special operating fund for the center for distance education must be maintained
8 | within the state treasury and all income and fees collected by the center for distance
9 | education from any source must be remitted monthly by the ~~director~~ superintendent of
10 | public instruction to the state treasurer and credited to the special operating fund. All
11 | expenditures from the fund must be within the limits of legislative appropriations and
12 | must be made upon vouchers, signed and approved by the director. Upon approval of
13 | the vouchers by the office of the budget, warrant-checks must be prepared by the
14 | office of management and budget.
- 15 | 2. The ~~state board for career and technical education~~ superintendent of public instruction
16 | may establish an endowment and scholarship fund to provide financial grants to
17 | students enrolled in courses offered through the center for distance education. The
18 | endowment and scholarship fund may consist only of those funds specifically
19 | appropriated by the legislative assembly and property received by the center for
20 | distance education as a gift, devise, or bequest. Any gift, devise, or bequest of
21 | property received by the center for distance education which is designated by the ~~state~~
22 | ~~board for career and technical education~~ superintendent of public instruction and donor
23 | for the endowment and scholarship fund must be deposited in the scholarship fund at
24 | the Bank of North Dakota. The center for distance education may draw on the
25 | endowment and scholarship fund for the award of endowments and scholarships
26 | within the limits and rules adopted by the ~~state board for career and technical~~
27 | ~~education~~ superintendent of public instruction.

28 | **SECTION 5. AMENDMENT.** Section 15-19-08 of the North Dakota Century Code is
29 | amended and reenacted as follows:

1 **15-19-08. Distance education support and services.**

2 The amount of money appropriated by the legislative assembly for distance education
3 support and services for a biennium, or so much thereof as may be necessary, must be
4 expended first for work provided by distance education as determined by the center for distance
5 education and approved by the ~~state board for career and technical education~~superintendent of
6 public instruction.

7 **SECTION 6. AMENDMENT.** Section 15-20.1-03 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **15-20.1-03. Powers and duties of state board relating to career and technical**
10 **education.**

11 The state board shall have all authority necessary to cooperate with the United States
12 department of education or other department or agency of the United States of America in the
13 administration of acts of Congress relating to career and technical education, including the
14 following powers and duties:

- 15 1. To administer any legislation enacted by the legislative assembly of this state pursuant
16 to or in conformity with acts of Congress relating to career and technical education.
- 17 2. To administer the funds provided by the federal government and by this state for the
18 promotion of career and technical education and to contract with:
 - 19 a. Any public or private institution or agency, board of trustees of any agricultural
20 and training school, or school district of this state; or
 - 21 b. Any public or private institution or agency, or political subdivision, of another
22 state.
- 23 3. To formulate plans for the promotion of career and technical education in such
24 subjects as are an essential and integral part of the public school system of education
25 in this state.
- 26 4. To provide for the preparation of teachers.
- 27 5. To fix the compensation of such officers and assistants as may be necessary to
28 administer the federal acts and the provisions of this chapter relating to career and
29 technical education and to pay the same and other necessary expenses of
30 administration from any funds appropriated for such purpose.
- 31 6. To make studies and investigations relating to career and technical education.

- 1 7. To promote and aid in the establishment of schools, departments, or classes, and to
- 2 cooperate with local communities in the maintenance of career and technical
- 3 education schools, departments, or classes.
- 4 8. To prescribe the qualifications and provide for the certification of teachers, directors,
- 5 and supervisors.
- 6 9. To cooperate with governing bodies of school districts and with organizations and
- 7 communities in the maintenance of classes for the preparation of teachers, directors,
- 8 and supervisors of career and technical education, to maintain classes for such
- 9 purposes under its own direction and control, and to establish and control, by general
- 10 regulations, the qualifications to be possessed by persons engaged in the training of
- 11 career and technical education teachers.
- 12 10. To coordinate new and existing farm management programs offered by any state
- 13 agency or entity.
- 14 11. To create and expand marketing clubs as adjuncts to new and existing farm
- 15 management programs.
- 16 12. ~~To administer and supervise the program and all activities of the center for distance~~
- 17 ~~education.~~

18 ~~SECTION 7. AMENDMENT. Section 15.1-02-04 of the North Dakota Century Code is~~
19 ~~amended and reenacted as follows:~~

20 ~~15.1-02-04. Superintendent of public instruction – Duties. (Effective through June 30,~~
21 ~~2023)~~

22 ~~The superintendent of public instruction:~~

23 ~~1. Shall supervise the provision of elementary and secondary education to the students~~
24 ~~of this state.~~

25 ~~2. Shall supervise the establishment and maintenance of schools and provide advice and~~
26 ~~counsel regarding the welfare of the schools.~~

27 ~~3. Shall supervise the development of course content standards.~~

28 ~~4. Shall supervise the assessment of students.~~

29 ~~5. Shall serve as an ex officio member of the board of university and school lands.~~

30 ~~6. Shall keep a complete record of all official acts and appeals.~~

31 ~~7. As appropriate, shall determine the outcome of appeals regarding education matters.~~

1 ~~8. Shall direct school district annexation, reorganization, and dissolution and employ and~~
2 ~~compensate personnel necessary to enable the state board of public school education~~
3 ~~to carry out its powers and duties regarding school district annexation, reorganization,~~
4 ~~and dissolution.~~

5 ~~9. Shall facilitate a process to review and update annually the statewide prekindergarten~~
6 ~~through grade twelve education strategic vision. The process must include input and~~
7 ~~participation from a steering committee that includes representatives of all state-level~~
8 ~~entities receiving state education funding and education stakeholder groups. Each~~
9 ~~steering committee member entity receiving state education funds shall provide~~
10 ~~components of the entity's strategic plan which are aligned to the statewide strategic~~
11 ~~vision. The steering committee shall prepare a collaborative report of the strategic~~
12 ~~plans of each committee member entity receiving state education funds. The~~
13 ~~superintendent shall provide the collaborative report and any updates to the strategic~~
14 ~~vision to the legislative management during each interim and to a joint meeting of the~~
15 ~~education standing committees during each regular legislative session.~~

16 ~~10. Shall administer a student loan forgiveness program for individuals teaching at grade~~
17 ~~levels, in content areas, and in geographical locations identified as having a teacher~~
18 ~~shortage or critical need.~~

19 ~~11. Shall facilitate the development and implementation of a North Dakota learning~~
20 ~~continuum in collaboration with the department of career and technical education,~~
21 ~~upon the recommendation of the kindergarten through grade twelve education~~
22 ~~coordination council.~~

23 ~~12. Shall collaborate with workforce development stakeholders and the kindergarten~~
24 ~~through grade twelve education coordination council to determine how best to~~
25 ~~integrate computer science and cybersecurity into elementary, middle, and high school~~
26 ~~curriculum under sections 15.1-21-01 and 15.1-21-02. Before September 1, 2022, the~~
27 ~~superintendent shall provide a report to the legislative management regarding the~~
28 ~~outcome of this collaboration.~~

29 ~~13. Shall administer and supervise the program and all activities of the center for distance~~
30 ~~education.~~

31 ~~**Superintendent of public instruction – Duties. (Effective after June 30, 2023)**~~

- 1 ~~— The superintendent of public instruction:~~
- 2 ~~— 1. Shall supervise the provision of elementary and secondary education to the students~~
- 3 ~~of this state.~~
- 4 ~~— 2. Shall supervise the establishment and maintenance of schools and provide advice and~~
- 5 ~~counsel regarding the welfare of the schools.~~
- 6 ~~— 3. Shall supervise the development of course content standards.~~
- 7 ~~— 4. Shall supervise the assessment of students.~~
- 8 ~~— 5. Shall serve as an ex officio member of the board of university and school lands.~~
- 9 ~~— 6. Shall keep a complete record of all official acts and appeals.~~
- 10 ~~— 7. As appropriate, shall determine the outcome of appeals regarding education matters.~~
- 11 ~~— 8. Shall direct school district annexation, reorganization, and dissolution and employ and~~
- 12 ~~compensate personnel necessary to enable the state board of public school education~~
- 13 ~~to carry out its powers and duties regarding school district annexation, reorganization,~~
- 14 ~~and dissolution.~~
- 15 ~~— 9. Shall facilitate a process to review and update annually the statewide prekindergarten~~
- 16 ~~through grade twelve education strategic vision. The process must include input and~~
- 17 ~~participation from a steering committee that includes representatives of all state-level~~
- 18 ~~entities receiving state education funding and education stakeholder groups. Each~~
- 19 ~~steering committee member entity receiving state education funds shall provide~~
- 20 ~~components of the entity's strategic plan which are aligned to the statewide strategic~~
- 21 ~~vision. The steering committee shall prepare a collaborative report of the strategic~~
- 22 ~~plans of each committee member entity receiving state education funds. The~~
- 23 ~~superintendent shall provide the collaborative report and any updates to the strategic~~
- 24 ~~vision to the legislative management during each interim and to a joint meeting of the~~
- 25 ~~education standing committees during each regular legislative session.~~
- 26 ~~— 10. Shall facilitate the development and implementation of a North Dakota learning~~
- 27 ~~continuum in collaboration with the department of career and technical education,~~
- 28 ~~upon the recommendation of the kindergarten through grade twelve education~~
- 29 ~~coordination council.~~
- 30 ~~— 11. Shall administer and supervise the program and all activities of the center for distance~~
- 31 ~~education.~~